

IN THE UNITED STATES BANKRUPTCY COURT
DISTRICT OF PUERTO RICO

JESUS M. MARTINEZ FUENTES
Debtor

11-05546 MCF
Ch. 13
Asset Case

NOTICE OF AMENDED CH. 13 PLAN
AND CERTIFICATE OF SERVICE

TO ALL PARTIES IN INTEREST:

Pursuant to 11 U.S.C. §1323(a) and Rule 3015(d) F.R.B.P., debtor herewith gives notice that the attached amended plan dated *September 04, 2011* has been filed. This plan replaces and supersedes any and all plans previously filed in this case.

CERTIFICATE OF SERVICE: The undersigned hereby certifies that this document was filed electronically on this same date using the CM/ECF system which will send notice of such filing to ECF participants: José R. Carrión, Ch. 13 Trustee, ecfmail@ch13pr.com; and by regular mail to all parties in interest as per the attached master address list.

DATED: 09/04/11

ANGEL M. EGOZCUE LAW OFFICES
P.O.Box 366087
San Juan, P.R. 00936-6087
Tel: 781-5635 Fax: 793-8193
By: */s/ Angel Medina Arana*
Angel L. Medina Arana
Attorney for the Above Named Debtor
U.S.D.C.#201408

**UNITED STATES BANKRUPTCY COURT
FOR THE DISTRICT OF PUERTO RICO**

IN RE: JESUS M. MARTINEZ FUENTES

BK. CASE # 11-05546 MCF

DEBTOR(S)

CHAPTER 13

CHAPTER 13 PAYMENT PLAN

NOTICE: • The following plan contains provisions which may significantly affect your rights. You should read this document carefully and discuss it with your attorney. When confirmed, the plan will bind the debtor and each creditor to its terms. Objections must be filed in writing with the Court and served upon the debtor(s), debtors' counsel, the Trustee and any other entity designated by the Court, at the 341 meeting of creditors or not less than twenty (20) days prior to the scheduled confirmation hearing. For post confirmation Plan Modifications, objections must be filed and notified in the same manner within twenty (20) days from its notification. • This plan does not allow claims. Any party entitled to receive disbursements from the Trustee must file a proof of claim. The Trustee will pay the allowed claims, as filed, provided for in the plan, unless disallowed or expressly modified by the Court and / or the terms of the plan. If no claim is filed, the Trustee will not pay a creditor provided for in the plan, unless ordered by the Court. If the Trustee is to make POST-PETITION REGULAR MONTHLY PAYMENTS to any Secured obligation, then a proof of claim must be filed including the following information: account number, address, due date and regular monthly payment. Secured creditor must notify any change in the monthly payment, three (3) months prior to the effective date of new payment. Those post-petition monthly payments will not exceed the life of the plan. • See the notice of commencement of case for 341 meeting date and claims bar date, the latter is the date by which a proof of claim must be filed in order to participate of the plan distribution.

1. The future earnings of the Debtor(s) are submitted to the supervision and control of the Trustee and the Debtor(s) shall make payments to the Trustee:
☒ directly ☐ by payroll deductions, as hereinafter provided in the PAYMENT PLAN SCHEDULE.
 2. The Trustee shall distribute the funds so received as hereinafter provided in the DISBURSEMENT SCHEDULE.
☐ 3. The Confirmation Order will not vest property of the Estate on Debtor(s) until the Order discharging Debtor(s) is entered.

PLAN DATED: _____

☒ PRE ☐ POST-CONFIRMATION

☒ AMENDED PLAN DATED: septiembre 4, 2011

FILED BY ☒ DEBTOR ☐ TRUSTEE ☐ UNSECURED CREDITOR

I. PAYMENT PLAN SCHEDULE

\$ 350	x	15	= \$	5,250
\$ 405	x	45	= \$	18,225
\$	x		= \$	0
\$	x		= \$	0
\$	x		= \$	0
TOTAL =			60	\$ 23,475

Additional Payments:

\$ _____ to be paid as a LUMP SUM
within _____ with proceeds to come from _____

☐ Sale of property identified as follows:

Tax refunds will be devoted each year, as periodic payments, to fund the plan until the plan's completion. The tender of such payments shall deem the plan modified by such amount ☒ Other: increasing the base thereby without the need of further notice, hearing or Court order. If need be for the use by debtor of a portion of such refund, debtor shall seek court's authorization prior to any use of funds.

Periodic Payments to be made other than and in addition to the above.

\$ _____ x _____ = \$ _____ 0

To be made on: _____

PROPOSED PLAN BASE: \$ 23,475

II. ATTORNEY'S FEES

To be treated as a § 507 Priority, and paid before any other creditor and concurrently with the Trustee's fees, unless otherwise provided:

a. Rule 2016(b) Statement:	\$ 3,000
b. Fees Paid (Pre-Petition):	(\$ 300)
c. R 2016 Outstanding balance:	\$ 2,700
d. Post Petition Additional Fees:	\$ 0
e. Total Compensation:	\$ 3,000

Signed: s/Jesús M. Martínez Fuentes
DEBTOR JESUS M. MARTINEZ FUENTES

JOINT DEBTOR

III. DISBURSEMENT SCHEDULE SEQUENCE

A. SECURED CLAIMS: ☐ Debtor represents that there are no secured claims.
☒ Secured creditors will retain their liens and shall be paid as follows:

1 ADEQUATE PROTECTION Payments: Cr. Popular Auto \$ 100
Until Confirmation

☐ Trustee will pay secured **ARREARS:**

Cr. _____	Cr. _____	Cr. _____
Acct. _____	Acct. _____	Acct. _____
\$ _____	\$ _____	\$ _____

☐ Trustee will pay **REGULAR MONTHLY PAYMENTS:**

(please refer to the above related notice, for important information about this provision)

Cr. _____	Cr. _____	Cr. _____
Acct. _____	Acct. _____	Acct. _____
Monthly Pymt.\$ _____	Monthly Pymt.\$ _____	Monthly Pymt.\$ _____

2 Trustee will pay IN FULL Secured Claims:

Cr. <u>POPULAR AUTO</u>	Cr. _____	Cr. _____
\$ <u>9,962.83</u>	\$ _____	\$ _____
POC #5-1		

☐ Trustee will pay **VALUE OF COLLATERAL:**

Cr. _____	Cr. _____	Cr. _____
\$ _____	\$ _____	\$ _____

2 Secured Creditor's interest will be insured. INSURANCE POLICY will be paid through plan:

Cr. <u>POPULAR AUTO</u>	Ins. Co. <u>UNIVERSAL</u>	Premium: \$ <u>45</u>
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(Please indicate in "Other Provisions" the insurance coverage period)

☐ Debtor **SURRENDERS COLLATERAL** TO Lien Holder:

☐ Debtor will maintain **REGULAR PAYMENTS DIRECTLY** to:

B. PRIORITIES. The Trustee will pay §507 priorities in accordance with the law [§1322 (a)(2)].

3 IRS (\$105.69) POC #6-2; HACIENDA \$90.74

C. UNSECURED PREFERRED: Plan ☐ Classifies ☒ Does not Classify Claims.

<input type="checkbox"/> Class A:	<input type="checkbox"/> Co-debtor Claims:	<input type="checkbox"/> Pay 100% / <input type="checkbox"/> "Pay Ahead":
<input type="checkbox"/> Class B:	<input type="checkbox"/> Other Class:	
<input type="checkbox"/> Cr. _____	<input type="checkbox"/> Cr. _____	<input type="checkbox"/> Cr. _____
\$ _____	\$ _____	\$ _____

D. GENERAL UNSECURED NOT PREFERRED: (Case Liquidation Value = \$ 0 _____)

☐ Will be paid 100% plus _____ % Legal Interest. **4** Will be paid Pro-Rata from any remaining funds

OTHER PROVISIONS:

- a. ABOVE MEDIAN/60 MO. COMMITMENT PERIOD; UNSECURED POOL = \$0.00;
 b. Insurance Coverage for Collateral held by Popular Auto becomes effective upon maturity of contract due on Jan. 15, 2014; c. Confirmation of this plan constitutes a finding that Debtor has timely complied with all of Debtor's duties under 11 USC §521, and that the plan and the bankruptcy case were both filed in good faith.

ATTORNEY FOR DEBTOR: ANGEL M. EGOZCUE & ASSOCIATES

Phone: (787) 781-5635

Label Matrix for local noticing
0104-3
Case 11-05546-MCF13
District of Puerto Rico
Old San Juan
Mon Sep 5 11:31:49 AST 2011

POPULAR AUTO
VERONICA DURAN CASTILLO ESQ
PO BOX 366818
SAN JUAN, PR 00936-6818

US Bankruptcy Court District of P.R.
U.S. Post Office and Courthouse Building
300 Recinto Sur Street, Room 109
San Juan, PR 00901-1964

BANCO BILBAO VIZCAYA
PO BOX 71113
SAN JUAN PR 00936-8013

DORAL BANK
PO BOX 70308
SAN JUAN PR 00936-8308

ISLAND FINANCE
PO BOX 71504
SAN JUAN PR 00936-8604

(p)PENTAGON FEDERAL CREDIT UNION
ATTN BANKRUPTCY DEPARTMENT
P O BOX 1432
ALEXANDRIA VA
22313-1432

SANTANDER FINANCIAL D/B/A ISLAND FINANCE
PO BOX 195369
SAN JUAN PR 00919-5369

FEDERAL LITIGATION DEPT. OF JUSTICE
PO BOX 9020192
SAN JUAN, PR 00902-0192

MONSITA LECAROS ARRIBAS
OFFICE OF THE US TRUSTEE (UST)
OCHOA BUILDING
500 TANCA STREET SUITE 301
SAN JUAN, PR 00901-1938

BANCO BILBAO VIZCAYA ARGENTARIA
PO BOX 364745
SAN JUAN, PR 00936-4745

PR DEPARTMENT OF LABOR
PRUDENCIO RIVERA MARTINEZ BLDG
505 MUNOZ RIVERA AVENUE
12 FLOOR
SAN JUAN, PR 00918

AUTORIDAD DE ENERGIA ELECTRICA
PO BOX 363508
SAN JUAN PR 00936-3508

BANCO POPULAR DE PR
PO BOX 15011
SAN JUAN PR 00902-8511

HSBC RETAIL SERVICES
PO BOX 60148
CITY OF INDUSTRY,CA 91716-0148

JC PENNEY
PO BOX 960090
ORLANDO FL 32896-0090

POPULAR AUTO
BANKRUPTCY DEPARTMENT
PO BOX 366818
SAN JUAN PUERTO RICO 00936-6818

VERIZON WIRELESS
PO BOX 70367
SAN JUAN PR 00936-8367

JESUS M MARTINEZ FUENTES
URB OCEAN PARK
2158 TNTE LAVERGNE STREET
SAN JUAN, PR 00913-4511

DEPARTAMENTO DE HACIENDA
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OFICINA 424-B
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INTERNAL REVENUE SERVICE
PO BOX 7346
PHILADELPHIA PA 19101-7346

MACY'S
BANKRUPTCY PROCESSING
PO BOX 8053
MASON OH 45040-8053

SAM'S CLUB
PO BOX 965003
ORLANDO FL 32896-5003

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ANGEL M EGOZCUE & ASSOCIATES
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SAN JUAN, PR 00936-6087

JOSE RAMON CARRION MORALES
PO BOX 9023884
SAN JUAN, PR 00902-3884

The preferred mailing address (p) above has been substituted for the following entity/entities as so specified by said entity/entities in a Notice of Address filed pursuant to 11 U.S.C. 342(f) and Fed.R.Bank.P. 2002 (g)(4).

PENTAGON FEDERAL CREDIT UNION
P.O. BOX 1432
ALEXANDRIA, VA 22313

The following recipients may be/have been bypassed for notice due to an undeliverable (u) or duplicate (d) address.

(u)HSEC BANK OF NEVADA

(u)JESUS M. MARTINEZ FUENTES

End of Label Matrix	
Mailable recipients	27
Bypassed recipients	2
Total	29